

REMARKS

Applicant respectfully requests reconsideration. Claims 1, 8, 18, 19, 40, 41, 43, and 50-59 were previously pending in this application. By this amendment, Applicant is canceling claims 1, 40, 41, 43, 57, and 58 without prejudice or disclaimer. Claim 18 has been amended. As a result, claims 8, 18, 19, 50-56, and 59 are pending for examination with claims 8 being an independent claim. No new matter has been added.

Allowable Subject Matter

Claim 8 has been allowed.

Rejections under 35 U.S.C. §112, first paragraph

Written Description

The Examiner rejected claims 1, 18, 19, 40, 50, and 59 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Applicants have cancelled claims 1 and 40 thus, removing references to complements and antisense nucleic acids. Applicants submit that the written description requirement has been met for claims 18, 19, 50, and 59, each of which depends from allowed claim 8.

Accordingly, withdrawal of the rejection of claim(s) 18, 19, 50, and 59 under 35 U.S.C. §112 is respectfully requested.

Enablement

The Examiner rejected claims 1, 18, 19, 40, 41, 43, and 50-59 under 35 U.S.C. §112, first paragraph as lacking enablement. Applicants have cancelled claims 1, 40, 41, 43, 57 and 58 thus removing references to complements, antisense nucleic acids, and kits. Applicants submit that the enablement requirement has been met for claims 18, 19, and 50-59.

Accordingly, withdrawal of the rejection of claim(s) 18, 19, 50-56, and 59 under 35 U.S.C. §112 is respectfully requested.

Rejections under 35 U.S.C. §112, second paragraph

The Examiner rejected claim 41 under 35 U.S.C. §112, second paragraph as indefinite. Applicants have cancelled claim 41 thereby obviating the rejection. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. §102

The Examiner rejected claim 1 under 35 U.S.C. §102 as being anticipated by 1997/1998 Stratagene Catalog (page 118, 1997/1998). Applicant has cancelled claim 1 thereby obviating the rejection. Accordingly, withdrawal of this rejection is respectfully requested.

The Examiner rejected claim 1 under 35 U.S.C. §102 as being anticipated by U.S. Patent number 5,880,102. Applicant has cancelled claim 1 thereby obviating the rejection. Accordingly, withdrawal of this rejection is respectfully requested.

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CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

By:


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